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December 4, 2020

VIA ECF

Honorable Lewis J. Liman
United States District Judge
United States District Court
Southern District of New York
500 Pearl Street
New York, New York 10007

Re: Gabino Genao v. City of New York, et al.,
20-CV-2441 (LJL)

Your Honor:

I am the attorney in the office of James E. Johnson, Corporation Counsel of the City of New York, representing defendant City of New York in the above-referenced matter. Defendant City of New York writes in accordance with the Court's *Valentin* Order dated May 12, 2020, which directed the City to ascertain the identify of the five individuals identified in the Complaint as "Officer Rodriguez," "Correction Officer Morgan," "Captain Smith," "OBCC Mailroom Officer Sands," and "Warden Freeman," and provide the address where these individuals may be served with process.¹ *See* Civil Docket Sheet, Entry Nos. 10, 21.

By way of background, according to the Complaint, on December 27, 2018 and January 16, 2019 through January 27, 2019, these five Department of Corrections ("DOC") individuals allegedly caused a delay in sending out plaintiff's mail. *See* Compl. at p. 4. Although the precise factual allegations in plaintiff's Complaint are difficult to discern, the Complaint does set forth certain descriptive information and purported last names of some of the five unidentified individuals, which defendant City has used to assist in their attempts to identify

¹ Waivers of service were returned unexecuted for these individuals on May 5, 2020. *See* Civil Docket Sheet, Entry No. 9.

the individuals and comply with the Court's Order. As such, the City now provides the following names and service addresses:

Correction Officer Melissa Rodriguez, Shield No. #3951. Correction Officer Rodriguez may be served electronically under the Memorandum of Understanding ("the e-service agreement") between the Court, the DOC, and the New York City Law Department.²

Correction Officer Alonso Morgan, Shield No. #1051. Correction Officer Morgan may be served electronically under the e-service agreement.

Captain Omar Smith, Shield No. #1651. Captain Smith may be served electronically under the e-service agreement.

Correction Officer Kathleen Sands, Shield No. #8192. Correction Officer Sands may be served under the e-service agreement.

Captain Sonya Freeman, Shield No. #1733. Captain Freeman may be served under the e-service agreement.

This Office has now complied with the Court's May 12, 2020 *Valentin* Order. See Docket Entry Nos. 10, 21. The City thanks the Court for its time and attention to this matter.

Respectfully submitted,

Mostafa Khairy /s/
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cc: **BY U.S MAIL**
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² In the event the Court requires a copy of the Memorandum of Understanding commemorating this e-service agreement, one will be provided promptly upon the Court's request.